

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1 and 7-10 are currently pending in this application, of which claims 1, 7, and 10 are independent. In the Office Action dated August 29, 2005, the Examiner allowed claim 10 and rejected claims 1 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,964,137 ("*Kihara*"). Applicants would like to thank the Examiner for allowing claim 10. The Examiner's rejection of claims 1 and 7-9 is respectfully traversed.

In the rejection of claims 1 and 7-9, the Examiner contended that *Kihara* discloses the claimed invention in its Figs. 3 and 4. Contrary to the Examiner's contention, Applicants submit that *Kihara* at least fails to show or suggest that "the stopper portion comprising an upper leg portion and a lower leg portion which sandwich a side edge of the fastener tape from above and below" and "wherein the stopper portion has a protrusion on part of an outer peripheral face thereof except a side face in the length direction of the fastener tape," as recited in independent claims 1 and 7.

More specifically, the Examiner pointed to an item in Fig. 4 of *Kihara* as disclosing the upper and lower leg portions of the stopper portion recited in claims 1 and 7. Applicants submit that the item pointed to by the Examiner is not a component of a stopper portion, but rather refers to an element in *Kihara*'s fastener elements E, which is "secured by stitchings to the [front side of] tape 10." Col. 2, lines 35-37. Therefore, *Kihara* fails to show or suggest "the stopper portion comprising an upper leg portion and a lower leg portion which sandwich a side edge of the fastener tape from above and below," as recited in claims 1 and 7.

The Examiner further pointed to item 18 in *Kihara*'s Fig. 3 as disclosing the claimed stopper portion having a protrusion on part of an outer peripheral face. Applicants submit that item 18 merely refers to a top end stop that is "conventional in form and shown fused together with the fastener element E," which, as described above, is "secured by stitchings S to the [front side of] tape 10." Col. 2, lines 35-37. Therefore, item 18 of *Kihara* also fails to show or suggest "the stopper portion comprising an upper leg portion and a lower leg portion which sandwich a side edge of the fastener tape from above and below" and "wherein the stopper portion has a protrusion on part of an outer peripheral face thereof except a side face in the length direction of the fastener tape," as recited in claims 1 and 7.

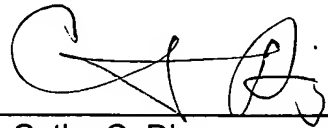
Accordingly, at least because *Kihara* fails to show or suggest each and every feature of independent claims 1 and 7, claims 1 and 7 are patentable over *Kihara* under 35 U.S.C. § 102(b). Claims 8 and 9 depend from claim 7 and are, therefore, also patentable over *Kihara* for at least the above reasons.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 29, 2005

By: 
Cathy C. Ding
Reg. No. 52,820